



Order Filed on July 27, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave., Suite 406 Westmont, NJ 08018 (215) 627-1322 dcarlon@kmlawgroup.com Attorneys for Movant Toyota Motor Credit Corporation
In Re:
Elliot A. Griffin, Nia Griffin
Debtors.

Case No.: 18-17375 KCF

Adv. No.:

Hearing Date: 6/27/18

Judge: Katherine C. Ferguson

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S OBJECTION
TO DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: July 27, 2018


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Elliot A. Griffin & Nia Griffin

Case No.: 18-17375 KCF

Caption: **ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, the holder of a lien on Debtor's vehicle, a 2012 TOYOTA CAMRY , VIN:4T1BF1FK5CU106040, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Robert Manchel Esq., attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 5.5%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the parties mutually agree on a value of \$11,462.88 for the subject vehicle; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$12,460.68, consisting of the agreed value of \$11,462.88 and \$997.80 in interest that will accrue during the course of Debtor's Chapter 13 plan over 36 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Trustee shall made adequate protection payments while confirmation of the plan is pending in the amount of \$115.00 per month; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that if the length of Debtor's plan is adjusted to more than 36 months, the interest due under the plan will increase accordingly, and this order is subject to amendment; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Toyota Motor Credit's lien will only be released upon the Debtor's receipt of his discharge and completion of his

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Debtor: Elliot A. Griffin & Nia Griffin

Case No.: 18-17375 KCF

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Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that the lien shall be released and extinguished upon the successful completion of the Debtor's Chapter 13 plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Toyota Motor Credit Corporation shall file a release of the lien within 30 days of the date of the service of Debtor's discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Toyota Motor Credit Corporation fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Elliot A. Griffin
Nia Griffin
Debtors

Case No. 18-17375-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 27, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 29, 2018.
db/jdb +Elliot A. Griffin, Nia Griffin, 44 Bradford Lane, Willingboro, NJ 08046-1539

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 29, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 27, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Jill Manzo on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bankruptcy@feinsuch.com
R. A. Lebron on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bankruptcy@feinsuch.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Robert Manchel on behalf of Joint Debtor Nia Griffin manchellaw@yahoo.com
Robert Manchel on behalf of Debtor Elliot A. Griffin manchellaw@yahoo.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7